

**BOARD OF NURSING
MEETING MINUTES
SEPTEMBER 2, 2010**

PRESENT: Kay Coppens, Maria Joseph (out of the room during roll call), Gretchen Lowe, Julia Nelson, Steven Rush, Nelson Soler, Kathleen Sullivan, Lou Ann Weix

EXCUSED: Evelyn Merriett

STAFF: Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant and other DRL Staff

GUESTS: Jim Albrecht, Wisconsin Association of Nurse Anesthetists (WANA); Connie J. Boerst, Bellin College/ (WACSN); Deb Jenks, Wisconsin Association for Collegiate Schools of Nursing (WACSN) Representative – Milwaukee School of Engineering (MSOE); Judy Warmuth, Wisconsin Hospital Association (WHA); Patricia Schroeder and Margaret Rauschenberger, Alverno College; Gina Dennik-Champion, Wisconsin Nurses Association (WNA)

CALL TO ORDER

Kathleen Sullivan, Vice Chair, called the meeting to order at 9:45 a.m. A quorum of eight (8) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item “C” (open session) **REMOVE:** “9:15 A.M. Appearance – Greg Stocks, CRNA, EJD: Presentation of Substance Abuse Monitoring for Certified Registered Nurse Anesthetists (CRNA)”
- After Item “L” (closed session) Under the item titled “Deliberation of Monitoring Received After Mailing of the Agenda” **ADD:**
 - Kristin Boyd, LPN – Requesting Modification
 - Davene Row, RN – Requesting Modification
 - Paul Lauer, RN – Requesting Stay
 - Connie (Swope) Gaier, RN – Consideration of Violation of Board Order
- After Item “EE” (closed session) Under the item titled “Deliberation of Proposed Stipulations Received After Mailing of Agenda” **ADD:**
 1. Melissa S. Anderson, R.N. (DOE Case # 08 NUR 065)
 2. Amie L. Conley, L.P.N. (DOE Case # 09 NUR 005) – *Mailed with Agenda Packet*
 3. Lisa J. Czub, L.P.N. (DOE Case # 09 NUR 242 & 10 NUR 017)
 4. Sylvia Stangler, R.N. (DOE Case # 08 NUR 085)

MOTION: Gretchen Lowe moved, seconded by Kay Coppens, to approve the agenda of September 2, 2010 as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 22, 2010

Amendments to the Minutes:

- Page 3 of the Minutes: Under the topic titled “Review of Proposed Changes to RL 7 by the Department of Regulation and Licensing Relating to the Departments Impaired Professionals Procedure” amend the second sentence as follows: “Sharon Henes informed the Board...”

MOTION: Steven Rush moved, seconded by Lou Ann Weix, to approve the minutes of July 22, 2010 as amended. Motion carried unanimously.

ELECTION OF BOARD CHAIR

CHAIR

The Board held an election for the Office of Board Chair as no elections have occurred since the departure of Marilyn Kaufmann.

NOMINATION: Gretchen Lowe nominated Kathleen Sullivan for the Office of Board Chair. Nomination carried unanimously.

Kathleen Sullivan, Vice Chair, called for other nominations three (3) times.

Kathleen Sullivan was elected as Board Chair.

Election of Other Board Officers as Necessary

The election of Kathleen Sullivan as Chair left a vacancy in the Board’s Vice Chair position. The Board then conducted elections for the Office of Vice Chair.

VICE CHAIR

NOMINATION: Kathleen Sullivan nominated Lou Ann Weix for the Office of Vice Chair. Nomination carried unanimously.

Kathleen Sullivan, Chair, called for other nominations three (3) times.

Lou Ann Weix was elected as Vice Chair.

2010 Board Officers	
Board Chair	Kathleen Sullivan
Vice Chair	Lou Ann Weix
Secretary	Julia Nelson

ADMINISTRATIVE REPORT

Jeff Scanlan reported to the Board that as there will be a gubernatorial election and that the Department's administration will change. He reminded the Board that he is a political appointee and noted that the Board should be prepared to receive a new Bureau Director. The Board discussed how to maintain its continuity in light of the impending change in administration. Jeff Scanlan informed the Board that it has made some positive movement this year. He indicated that he has been pursuing a goal to improve the Department's connection with NCSBN and NURSYS. He explained the function of NURSYS and indicated that this renewed connection should have a direct affect on patient protection. The Board was advised by Colleen Baird and Jeff Scanlan that that the Department has applied for funding from NCSBN for the purpose of hiring an employee to clean-up the agency's credentialing database so that it matches data in NURSYS.

2011 Meeting Dates

Noted.

GREG STOCKS, CRNA, EJD – PRESENTATION OF SUBSTANCE ABUSE MONITORING FOR CERTIFIED REGISTERED NURSE ANESTHETISTS (CRNA)

This presentation was removed from the agenda as Greg Stocks, CRNA, EJD was unable to appear.

DISCUSSION OF OFFSITE BOARD MEETING TO OCCUR OCTOBER 14, 2010 AT BLACKHAWK TECHNICAL COLLEGE, JANESVILLE, WI

Jeff Scanlan informed the Board that requests for hotel accommodation should be provided to Kimberly Wood, Bureau Assistant, for consideration of approval by Department. No further discussion of this item was deemed necessary by the Board.

REVIEW OF BOARD OF NURSING 2010 GOALS

The Board discussed the status of its 2010 goals. During the discussion of the status of the Board's various goals the Department's proposed changes to the Impaired Professionals Procedure (IPP) were discussed. Colleen Baird will work with Michael Berndt, General Counsel, to compile and distribute the latest rule draft relating to changes to Chapter RL 7, a copy of the Clearinghouse comments pertaining to this rule draft and the comment letter submitted by Julia Nelson and Kathleen Sullivan, on behalf of the Board, regarding the Department's proposed changes to IPP. The Board will discuss the IPP rule draft, Clearinghouse comments and the Boards comments at its next meeting.

1. Timely case completion, team approach, adequate resources, dedicated bureau for nursing:

Progressing: Significant progress relating to the improved turnaround of enforcement cases has been noted by the Board and has been identified. The Board has identified the further step of a dedicated bureau for nursing as a goal for a part of its legislative initiative.

2. Remedial education orders, consistency in outcomes, # of hours, approved providers:

Limited Progress: Although the Board has not focused on this goal, Kathleen Sullivan reported that she has not had to deny many continuing education courses for those under remedial discipline.

3. Notification (push-out) of change in license status to employers:

No Progress: Bring back as goal for 2011

4. Appropriate response to practice questions: timely but within resources:

Progressing: The Board has reviewed and updated its practice questions as posted on the Department website.

5. Review results of RN workforce survey:

Progressing/Ongoing: The Board has reviewed a basic summary of the data collected from the RN Workforce Survey. The Board has yet to review the final report which is due for release at a later date. Updates regarding the progress of the RN and LPN Workforce Surveys continue to be provided to the Board

6. NURSYS "cases" - WI licensed nurse with discipline in another state:

Progressing: The Department is working on this issue internally. A request for financial assistance from NCSBN for addressing the errors in the Department's database has been made and accepted.

7. Fingerprint background checks (for new nurses):

Limited Progress: The Board has appointed a Committee consisting of Lou Ann Weix, Kathleen Sullivan and Gretchen Lowe to work on a Legislative initiative to pursue statutory change.

8. Modify renewal form to request disclosure of discipline in another state since last renewal:

Progressing: Jeff Scanlan has informed the Board that goal number 8 and goal number 6 are tied together. He indicated that the concern that has generated this request is being addressed by the Department's internal efforts to address the information provided on the NURSYS databank.

9. Mandatory Reporting of employer discipline or convictions:

No Progress: Bring back as goal for 2011

10. Board Member Training:

Achieved: The Department is providing more training opportunities for Board Members.

11. Pass rates for nursing programs posted on DRL website:

Achieved: September 2010 - NCLEX pass rates with an explanation of how to read this document was posted to the Department website by the Office of Education and Examinations

DISCUSSION OF BOARD OPTIONS FOR PROSECUTION OF MARIJUANA RELATED CASES

The Board discussed how to address prosecution of cases involving the use of marijuana. Jeanette Lytle and Arthur Thexton, DOE Prosecuting Attorneys and Sharon Henes, Department Monitor, joined the Board for discussion of this topic.

Jeanette Lytle and Arthur Thexton provided an explanation to the Board regarding their differences of legal opinions on how to address cases involving the use of marijuana in a consistent and affective manner. The Board discussed whether a requirement for the possibility of drug screening of nurses that are disciplined for use of marijuana should be considered a limitation of their licenses. During this discussion Arthur Thexton also requested that the Board review its position relating to the recreational use of cocaine.

The Board discussed the possibility of applying a time limit for the possibility of drug testing for these cases. The Board addressed the disciplinary language utilized in past marijuana use cases and reviewed the limitations that would apply to their practice privileges. Colleen Baird posed a question relative to the approach of other jurisdictions and their methods for addressing prosecution of marijuana cases.

Sharon Henes posed a concern from the Monitoring perspective and explained that nurses subject to prosecution for recreational marijuana use are not set-up with a drug testing company until the need to test is identified. She informed the Board that she experiences difficulty in the testing process for these individuals and indicated that extra steps are required from the Department Monitor to obtain a drug screen. In response the Board discussed the number of cases related to marijuana that are received. Jeff Scanlan indicated that the prosecution of marijuana cases was discussed at the NCSBN Annual Meeting. He stated that many jurisdictions are dealing with prosecution issues as a result of the legal use of marijuana.

The Board determined that Jeff Scanlan, Jeanette Lytle and Arthur Thexton should work together to draft a research question regarding the prosecution of recreational marijuana usage by other jurisdiction. Once drafted this question should be sent to NCSBN for distribution for the purpose of collecting information about the approach to prosecution of such cases by other jurisdictions. The Board will revisit this topic at its December meeting at which time they will work towards the creation of standard stipulation language for recreational marijuana use cases.

DISCUSSION ON NOTIFICATION OF BOARD MEMBERS BY DEPARTMENT OF NEW CASES ASSIGNED TO CASE ADVISORS UNDER THE NEW CASE ADVISOR POLICY

Jeanette Lytle and Arthur Thexton, DOE Prosecuting Attorneys remained with the board to participate in Board discussion of this topic and were joined by Dennie Petersen, DOE Complaint Intake Supervisor.

The Board discussed a concern relative to the amount of information received by a case advisor at the time a new case is assigned especially with the amount of AODA cases that are addressed by the Board. Kathleen Sullivan indicated that a case advisors ability to determine the severity of a violation, based upon the amount of information received at the time the case is assigned, has impacted the ability of a case advisor, to judge the need for expedition of cases. The Board expressed that it would like to be able to identify certain cases for expedition.

The Board discussed the origins of the case advisor assignment policy and Dennie Petersen explained the impetus for this policy. She addressed the reasoning behind the limited amount of information that is received at the time a case is assigned which resulted from feedback from the Board's and Department staff and informed the Board that the priority of a case is set when a complaint is opened for investigation. Dennie Petersen indicated that incoming cases are reviewed by DOE attorneys who review cases and provide direction to a paralegal or investigator. She addressed the Board's concern about its ability to provide input about the prioritization by indicating that the Board's screening panel attorney is typically responsible for assigning the priority of a case. The Board expressed that the Board needs to be a part of this process and to provide input about the need for expedited case handling. The Board inquired about how the process was devised.

Jeff Scanlan provided further clarification about the reasons and thought process behind the creation of the case advisor policy. He indicated that the Division of Enforcement was working to streamline the case handling process and to improve case processing timeframes and created a committee to address these issues. Jeff Scanlan indicated that there were two main factors considered by the committee in the creation of this policy: 1) DOE staff indicated that they were having difficulties in obtaining responses from certain case advisors in a timely manner and; 2) case advisors provided feedback to the Department indicating concerns about the great length of time between the initial receipt of a case file and DOE staff follow up.

The Board discussed the information that they currently receive when a case advisor assignment is made and worked to identify the type of documentation that they would like to receive. Dennie Petersen indicated that she will share the Board's comments with management in the Division of Enforcement and noted that they would work to determine what action could be taken respective to the concerns of the Board. The Board requested a report from Dennie Petersen at its November meeting.

REPORT OF THE NCSBN 2010 ANNUAL MEETING – PORTLAND, OR – AUGUST 10-13, 2010 JEFF SCANLAN AND STEVEN RUSH

Jeff Scanlan and Steven Rush reported to the Board regarding their attendance at the 2010 NCSBN Annual Meeting and reported the highlights from the NCSBN 2010 Annual Meeting that had not already been addressed during the course of the meeting as described below:

- The NCSBN APRN Consensus Model: NCSBN reported that 27 jurisdictions reported having primary provider care status for APRNs, 22 reported having physician collaboration requirements including Wisconsin, and 7 reported having physician supervision requirements. Jeff Scanlan indicated that NCSBN does not advocate in this area, but a national association reporting on the issue at NCSBN would like to see more states with primary care status.
- The NCSBN Core Survey update: Jeff Scanlan indicated that only 11 jurisdictions have reported to the CORE survey. He stated that CORE survey requires more reporting from the jurisdictions to make the information contained in this survey pertinent. Jeff Scanlan noted that Wisconsin is one of the jurisdictions that has not reported, but added that he is following up on this issue.
- Jeff Scanlan noted that there was ample discussion regarding the need for clean records in state credentialing databanks. He explained that it is important for other states to be confident that the information reported by state boards of nursing is accurate. Jeff Scanlan informed the Board that NCSBN is working to ensure that jurisdictions are providing accurate data and added that Wisconsin is in the process of requesting funding from NCSBN to clean up our data.
- NCSBN is looking at its Model Licensure Act for the purpose of revisions. Jeff Scanlan suggested that the Board consider a review of Chapter 441 Board of Nursing, Wis. Stats. against the revised NCSBN Model Licensure Act once released.
- Jeff Scanlan indicated that continuing competency was addressed at the NCSBN Annual Meeting. The national council is moving very slowly on this issue and has defined at the outset what the

goals of continuing competence should be. Jeff Scanlan explained that from the presentation at the Council meeting the success of continuing education would seem to be dependent on appropriate selection of courses that educate in the areas of weakness of the individual selecting the continuing education. Steven Rush added to this topic by expressing that the national council is moving slowly, but added that they have made it clear to him that there is a need to develop methodology for determining continuing competence. The Board briefly discussed the number of jurisdictions require continuing education. Steven Rush indicated that there is research in the area of continuing education and this research doesn't show that patient outcomes are better in states that require continuing education than in those that do not. He added that continuing education is useful when considering your area of practice and what classes are selected but indicated that continuing education is not likely to be the backbone of the continuing competency model. The Board continued to discuss the issue of continuing competence and continuing education at length.

- Jeff Scanlan reported on a presentation at the National Council regarding the image of nursing and noted that from the presentation, it appears that nurses are considered by National Healthcare policy stakeholders to have little to no voice in health care policy changes. Also, the same policy stakeholders indicated that Nurses are important to the delivery in healthcare and should be able to provide more input.
- Steven Rush indicated that the new LPN test plan was voted upon and adopted and should be coming out next year. He indicated that there were only minor revisions and modification that shift the questions more towards a community basis and less towards inpatient type questions.
- Jeff Scanlan indicated that Taxonomy of Error, Root Cause Analysis and Practice-responsibility (TERCAP), an instrument created by NCSBN to analyze nursing errors and the cause, and a movement referred to as "Just Culture" were discussed at the NCSBN Annual Meeting. Jeff Scanlan discussed the reaction of modern society to act on the basis of the severity of an outcome from a mistake or error rather on first considering the intent (e.g.: inevitable human error or gross negligence). He noted a book titled "Whack-a-Mole" that generally explains the concepts and ideas behind the "Just Culture" movement. Jeff Scanlan indicated that NCSBN supports the idea that regulatory bodies and healthcare delivery locations should work to reduce the occurrence of errors and prosecute on the basis of criminality and indicated that if pursued by Wisconsin, TERCAP would require Department staff to enter information into a data base regarding complaints made to the Board regarding nursing errors and cases where discipline is warranted.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Steven Rush, Education and Licensure Committee Chair, reported to the Board regarding the actions taken at the today's meeting of the Committee.

Determination of Required Timeframes for Co-Educational Administrators at Alverno College

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to recommend approval of a two year timeframe for requiring co-educational administrators at Alverno College. Motion carried unanimously.

BOARD MOTION: Julia Nelson moved, seconded by Kay Coppens, to accept the recommendation for approval of a two year timeframe for requiring co-educational administrators at Alverno College. Motion carried unanimously.

COMMITTEE MOTION: Lou Ann Weix moved, seconded by Nelson Soler, to recommend that the Committee revisit this matter in June of 2012 to consider the removal of the requirement for Alverno College to maintain co-educational administrators. Motion carried unanimously.

BOARD MOTION: Steven Rush moved, seconded by Lou Ann Weix, to accept the recommendation that the Committee revisit this matter in June of 2012 to consider the removal of the requirement for Alverno College to maintain for co-educational administrators. Motion carried unanimously.

Milwaukee School of Engineering, School of Nursing Elimination of BSN Completion Program

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to recommend acceptance of the elimination of the BSN Completion track at Milwaukee School of Engineering, School of Nursing. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to approve the recommendation for acceptance of the elimination of the BSN Completion track at Milwaukee School of Engineering, School of Nursing. Motion carried unanimously.

Quarter 2 2010 NCLEX Pass Rate Data

COMMITTEE MOTION: Nelson Soler moved, seconded by Lou Ann Weix, to recommend that Herzing College be placed on monitoring, that they submit a NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

BOARD MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to accept the recommendation that Herzing College be placed on monitoring, that they submit a NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

COMMITTEE MOTION: Lou Ann Weix moved, seconded by Gretchen Lowe, to recommend that Milwaukee Area Technical College be placed on probation, that they submit a NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

BOARD MOTION: Steven Rush moved, seconded by Lou Ann Weix, to accept the recommendation that Milwaukee Area Technical College be placed on probation, that they submit a NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to recommend that a letter be sent to Moraine Park Technical College requesting an updated NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to accept the recommendation that a letter be sent to Moraine Park Technical College requesting an updated NCLEX RN pass rate improvement plan for review at the next meeting and that a representative of that school appear to answer questions. Motion carried unanimously.

COMMITTEE MOTION: Maria Joseph moved, seconded by Lou Ann Weix, to recommend that Southwest Technical College be placed on probation and that they submit a NCLEX RN pass rate improvement plan. Motion carried unanimously.

BOARD MOTION: Steven Rush moved, seconded by Lou Ann Weix, to accept the recommendation that Southwest Technical College be placed on probation and that they submit a NCLEX RN pass rate improvement plan. Motion carried. Abstained: Julia Nelson

REPORT OF PRACTICE COMMITTEE

Kathleen Sullivan, Practice Committee Chair, reported that there were no items requiring action by the Board resulting from today's meeting of the Committee.

CLOSED SESSION

MOTION: Steven Rush moved, seconded by Nelson Soler, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Maria Joseph-yes; Gretchen Lowe-yes; Julia Nelson-yes; Steven Rush-yes; Nelson Soler-yes; Kathleen Sullivan-yes; and Lou Ann Weix-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:21 a.m.

RECONVENE TO OPEN SESSION

MOTION: Julia Nelson moved, seconded by Gretchen Lowe, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:55 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF
VOTING IS APPROPRIATE**

MOTION: Steven Rush moved, seconded by Lou Ann Weix, to reaffirm all motions made in closed session. Motion carried unanimously.

IMPAIRED PROFESSIONALS PROGRAM (IPP)

None.

**IMPAIRED PROFESSIONALS PROGRAM (IPP) RECEIVED AFTER THE MAILING OF THE
AGENDA**

None.

REVIEW OF APPLICATIONS

Catherine Prange – Review of Application for Licensure as a Registered Nurse

The Board received additional information relating to the application of Catherine Prange.

MOTION: Maria Joseph moved, seconded by Julia Nelson, to issue an intent to deny the RN licensure application of Catherine Prange on the basis of discrepancies in her application regarding date of graduation, RN licensure discipline in Illinois and practice as a nurse technician in Wisconsin. The Board requests that Ms. Prange provide additional information including the submission of a job description outlining her duties as a nurse technician from her employer and requires Ms. Prange to appear before the Board to address these issues. Motion carried unanimously.

MONITORING

**JENNIFER FLYNN, RN
REQUESTING MODIFICATION**

MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to grant Jennifer Flynn, RN's request for access and for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test and noted that therapy is per Board Order. The requests for modification to the limitations for home health and hospice and direct supervision provisions were denied. Reason for Denial: Insufficient time under Board Order. Motion carried unanimously.

**JUDI OLSON, RN
REQUESTING MODIFICATION**

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to grant Judi Olson, RN's request for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test, to grant access to additional settings within her agency, but limits work hours to forty-five (45) hours per week. The Board denied the request for decrease in the frequency AA meetings. Reason for Denial: Insufficient time under Board Order. Motion carried unanimously.

**JENNIFER KIRKPATRICK, RN
REQUESTING MODIFICATION**

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to grant Jennifer Kirkpatrick, RN's request for reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test. Motion carried unanimously.

**CARRIE ZIELINSKI, RN
REQUESTING MODIFICATION**

MOTION: Julia Nelson moved, seconded by Gretchen Lowe, to grant Carrie Zielinski, RN's request for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test. Motion carried unanimously.

**JULIE WILCOX, RN
REQUESTING MODIFICATION**

MOTION: Julia Nelson moved, seconded by Steven Rush, to deny Julie Wilcox, RN's request for the ability to perform on-call rotations and reiterated that modifications cannot be made without successful completion of one (1) year under Board Order. Reason for Denial: Insufficient time under Board Order. Motion carried unanimously.

DELIBERATION OF MONITORING RECEIVED AFTER MAILING OF AGENDA

**KRISTEN BOYD, LPN
REQUESTING MODIFICATION**

MOTION: Nelson Soler moved, seconded by Kay Coppens, to grant Kristen Boyd, LPN's request for a payment arrangement in the amount of \$250.00 per month to be made in September and October 2010. Motion carried unanimously.

**DAVENE ROW, RN
REQUESTING MODIFICATION**

MOTION: Julia Nelson moved, seconded by Steven Rush, to grant Davene Row, RN's request for a payment arrangement to begin thirty (30) days after employment is gained. Motion carried unanimously.

**PAUL LAUER, RN
REQUESTING STAY**

MOTION: Nelson Soler moved, seconded by Steven Rush, to grant Paul Lauer, RN's request for stay of suspension. Motion carried unanimously.

**CONNIE (SWOPE) GAIER, RN
CONSIDERATION OF VIOLATION OF BOARD ORDER**

MOTION: Julia Nelson moved, seconded by Gretchen Lowe, to suspend the stay of suspension of Connie (Swope) Gaier, RN's on the basis of violation of Board Order. Reason for Denial: Has not been testing. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS AND ORDERS

**KELSEY C. BOLAND, R.N.
(10 NUR 263)**

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Kelsey C. Boland, R.N. (10 NUR 263). Motion carried unanimously.

**STEPHANIE L. CARPENTER, R.N.
(08 NUR 201)**

MOTION: Lou Ann Weix moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Stephanie L. Carpenter, R.N. (08 NUR 201). Motion carried unanimously.

**AMY L. CHAMBERLAIN, L.P.N.
(09 NUR 268)**

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Amy L. Chamberlain, L.P.N. (09 NUR 268). Motion carried unanimously.

**MAGDALA CHARLEUS, R.N.
(09 NUR 323)**

MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Magdala Charleus, R.N. (09 NUR 323). Motion carried unanimously.

JENNIFER M. DEAL, L.P.N.
(10 NUR 120)

MOTION: Julia Nelson moved, seconded by Nelson Soler, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jennifer M. Deal, L.P.N. (10 NUR 120) subject to the receipt of the original signed stipulation and delegating the authority to sign the Order to Jeff Scanlan. Motion carried unanimously.

JAYNE A. GARBADE, R.N.
(04 NUR 153, 08 NUR 101, 09 NUR 107)

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jayne A. Garbade, R.N. (04 NUR 153, 08 NUR 101, 09 NUR 107). Motion carried unanimously.

HARMONY S. GEARY, L.P.N.
(10 NUR 019)

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Harmony S. Geary, L.P.N. (10 NUR 019). Motion carried unanimously.

VICKIE L. GONZALES, L.P.N.
(09 NUR 174)

MOTION: Nelson Soler moved, seconded by Steven Rush, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Vickie L. Gonzales, L.P.N. (09 NUR 174). Motion carried unanimously.

MICHAEL A. HAFEMANN, R.N.
(09 NUR 004)

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Michael A. Hafemann, R.N. (09 NUR 004). Motion carried unanimously.

HILARY A. HAYWARD, L.P.N.
(10 NUR 229)

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Hilary A. Hayward, L.P.N. (10 NUR 229). Motion carried unanimously.

EDWARD C. HOLMES, L.P.N.
(07 NUR 400)

MOTION: Steven Rush moved, seconded by Nelson Soler, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Edward C. Holmes, LPN (07 NUR 400). Motion carried unanimously.

MICHAEL D. LYNCH, L.P.N.
(10 NUR 247)

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Michael D. Lynch, L.P.N. (10 NUR 247). Motion carried unanimously.

SUE ANN MEADOWS, R.N.
(10 NUR 085)

MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Sue Ann Meadows, R.N. (10 NUR 085). Motion carried unanimously.

MARLA M. MURRAY KOSS, R.N., A.P.N.P.
(07 NUR 337)

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Marla M. Murray Koss, R.N., A.P.N.P. (07 NUR 337). Motion carried unanimously.

ELIZABETH M. OGLETREE, R.N.
(08 NUR 374)

MOTION: Maria Joseph moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Elizabeth M. Ogletree, R.N. (08 NUR 374). Motion carried unanimously.

**ANGEL L. PARKINSON, L.P.N.
(09 NUR 416)**

MOTION: Julia Nelson moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Angel L. Parkinson, L.P.N. (09 NUR 416). Motion carried unanimously.

**LINDA S. STONE, R.N.
(08 NUR 343)**

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Linda S. Stone, R.N. (08 NUR 343). Motion carried unanimously.

**LISA B. VAN NATTA, R.N.
(07 NUR 367, 10 NUR 076)**

MOTION: Nelson Soler moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lisa B. Van Natta, R.N. (07 NUR 367, 10 NUR 076). Motion carried unanimously.

**JAMES M. WHELAN, L.P.N.
(10 NUR 209)**

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against James M. Whelan, L.P.N. (10 NUR 209). Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS RECEIVED AFTER MAILING OF
AGENDA**

**MELISSA S. ANDERSON, RN
(08 NUR 065)**

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Melissa S. Anderson (08 NUR 065). Motion carried unanimously.

**AMIE L. CONLEY, LPN
(09 NUR 005)**

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Amie L. Conley, LPN (09 NUR 005). Motion carried unanimously.

**LISA J. CZUB, LPN
(09 NUR 242, 10 NUR 017)**

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lisa J. Czub, LPN (09 NUR 242, 10 NUR 017). Motion carried unanimously.

**SYLVIA STANGLER, RN
(08 NUR 085)**

MOTION: Steven Rush moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Sylvia Stangler, RN (08 NUR 085). Motion carried unanimously.

ADMINISTRATIVE WARNINGS

09 NUR 295

MOTION: Nelson Soler moved, seconded by Gretchen Lowe, to issue an administrative warning in the matter of case number 09 NUR 295. Motion carried unanimously.

10 NUR 113

MOTION: Lou Ann Weix moved, seconded by Julia Nelson, to issue an administrative warning in the matter of case number 10 NUR 113. Motion carried unanimously.

**DELIBERATION OF ADMINISTRATIVE WARNINGS RECEIVED AFTER MAILING OF
AGENDA**

None.

DELIBERATION OF ORDERS FIXING COSTS

Kristin Carlson, R.N., Respondent – Order # 0000290, Division of Hearings and Appeals (DHA) Case # DRL-10-0009, DOE Case #'s 06 NUR 071 & 07 NUR 264

MOTION: Nelson Soler moved, seconded by Lou Ann Weix, to adopt the Order Fixing Cost in the matter of disciplinary proceedings against Kristin Carlson, RN, Respondent (Order # 0000290, Division of Hearings and Appeals (DHA) Case # DRL-10-0009, DOE Case #'s 06 NUR 071 & 07 NUR 264). Motion carried unanimously.

Francella Williams, LPN, Respondent – Order # 0000254, Division of Hearings and Appeals (DHA) Case # DRL-10-0004, DOE Case # 09 NUR 254

MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to adopt the Order Fixing Cost in the matter of disciplinary proceedings against Francella Williams, LPN, Respondent (Order # 0000254, Division of Hearings and Appeals (DHA) Case # DRL-10-0004, DOE Case # 09 NUR 254). Motion carried unanimously.

DELIBERATION OF ORDERS FIXING COSTS RECEIVED AFTER MAILING OF AGENDA

None.

DELIBERATION OF PROPOSED FINAL DECISION AND ORDERS

Tracy L. Esposito, Respondent – Division of Hearings and Appeals (DHA) Case # DRL-10-0022, DOE Case # 08 NUR 346

MOTION: Kay Coppens moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Tracy L. Esposito, Respondent – DHA Case # DRL-10-0022/DOE Case # 08 NUR 346. Motion carried unanimously.

Yasmine Pave, RN, Respondent – Division of Hearings and Appeals (DHA) Case # DRL-10-0021, DOE Case #'s 07 NUR 406 & 07 NUR 451

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Yasmine Pave, RN, Respondent – DHA Case # DRL-10-0021/DOE Case #'s 07 NUR 406 & 07 NUR 451. Motion carried unanimously.

Sylvia Roberson, LPN, Respondent – Division of Hearings and Appeals (DHA) Case # DRL-10-0030, DOE Case # 08 NUR 383

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Sylvia Roberson, LPN, Respondent – DHA Case # DRL-10-0030/DOE Case # 08 NUR 383. Motion carried unanimously.

**DELIBERATION OF REQUEST TO SURRENDER LICENSE (IN LIEU OF STIPULATION)
SUBMITTED BY MICHELLE MARIE OBERMUELLER, L.P.N.**

The Board was provided with a missing page following page 395 of the agenda packet.

MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to deny Michelle Marie Obermueller, LPN's request for surrender of license. Motion carried. Opposed-2

**DIVISION OF ENFORCEMENT
CASE STATUS REPORT & CASE CLOSINGS**

10 NUR 198

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to close case 10 NUR 198 for insufficient evidence. Motion carried unanimously.

09 NUR 222

MOTION: Steven Rush moved, seconded by Maria Joseph, to close case 09 NUR 222 for insufficient evidence. Motion carried unanimously.

10 NUR 177

MOTION: Julia Nelson moved, seconded by Kay Coppens, to close case 10 NUR 177 for no violation. Motion carried unanimously.

10 NUR 264

MOTION: Lou Ann Weix moved, seconded by Maria Joseph, to close case 10 NUR 264 for no violation. Motion carried unanimously.

08 NUR 285

MOTION: Kay Coppens moved, seconded by Nelson Soler, to close case 08 NUR 285 for insufficient evidence. Motion carried unanimously.

09 NUR 151

MOTION: Steven Rush moved, seconded by Nelson Soler, to close case 09 NUR 151 for insufficient evidence. Motion carried unanimously.

09 NUR 262

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to close case 09 NUR 262 for insufficient evidence. Motion carried unanimously.

09 NUR 299

MOTION: Maria Joseph moved, seconded by Julia Nelson, to close case 09 NUR 299 for insufficient evidence. Motion carried unanimously.

09 NUR 388

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to close case 09 NUR 388 for prosecutorial discretion (P7). Motion carried unanimously.

10 NUR 251

MOTION: Julia Nelson moved, seconded by Lou Ann Weix, to close case 10 NUR 251 for prosecutorial discretion (P2). Motion carried unanimously.

10 NUR 252

MOTION: Maria Joseph moved, seconded by Steven Rush, to close case 10 NUR 252 for no violation. Motion carried unanimously.

10 NUR 281

MOTION: Steven Rush moved, seconded by Kay Coppens, to close case 10 NUR 281 for no violation. Motion carried unanimously.

10 NUR 294

MOTION: Maria Joseph moved, seconded by Nelson Soler, to close case 10 NUR 294 for prosecutorial discretion (P1). Motion carried unanimously.

10 NUR 344

MOTION: Gretchen Lowe moved, seconded by Julia Nelson, to close case 10 NUR 344 for prosecutorial discretion (P5). Motion carried unanimously.

09 NUR 360

MOTION: Maria Joseph moved, seconded by Kay Coppens, to close case 09 NUR 360 for no violation. Motion carried unanimously.

10 NUR 111

MOTION: Steven Rush moved, seconded by Kay Coppens, to close case 10 NUR 111 for no violation. Motion carried unanimously.

10 NUR 015

MOTION: Maria Joseph moved, seconded by Steven Rush, to close case 10 NUR 015 for prosecutorial discretion (P7). Motion carried unanimously.

ADJOURNMENT

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:56 p.m.